United Nations A/AC.109/2002/23

General Assembly

Distr.: General
18 June 2002

Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Resolution adopted by the Special Committee at its 7th meeting, on 17 June 2002

Question of New Caledonia

The Special Committee,

Having considered the question of New Caledonia,

Reaffirming the right of peoples to self-determination as enshrined in the Charter of the United Nations,

Recalling General Assembly resolutions 1514 (XV) of 14 December 1960 and 1541 (XV) of 15 December 1960,

Noting the importance of the positive measures being pursued in New Caledonia by the French authorities, in cooperation with all sectors of the population, to promote political, economic and social development in the Territory, including measures in the area of environmental protection and action with respect to drug abuse and trafficking, in order to provide a framework for its peaceful progress to self-determination,

Noting also, in this context, the importance of equitable economic and social development, as well as continued dialogue among the parties involved in New Caledonia in the preparation of the act of self-determination of New Caledonia,

Noting with satisfaction the intensification of contacts between New Caledonia and neighbouring countries of the South Pacific region,

1. *Welcomes* the significant developments that have taken place in New Caledonia as exemplified by the signing of the Nouméa Accord of 5 May 1998 between the representatives of New Caledonia and the Government of France;[1]

2. *Urges* all the parties involved, in the interest of all the people of New Caledonia, to maintain, in the framework of the Nouméa Accord, their dialogue in a spirit of harmony;

[1] A/AC.109/2114, annex.

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3. *Notes* the relevant provisions of the Nouméa Accord aimed at taking more broadly into account the Kanak identity in the political and social organization of New Caledonia, and also those provisions of the Accord relating to control of immigration and protection of local employment;

4. *Also notes* the relevant provisions of the Nouméa Accord to the effect that New Caledonia may become a member or associate member of certain international organizations, such as international organizations in the Pacific region, the United Nations, the United Nations Educational, Scientific and Cultural Organization and the International Labour Organization, according to their regulations;

5. *Further notes* the agreement between the signatories of the Nouméa Accord that the progress made in the emancipation process shall be brought to the attention of the United Nations;

6. *Welcomes* the fact that the administering Power invited to New Caledonia, at the time the new institutions were established, a mission of information which comprised representatives of countries of the Pacific region;

7. *Calls upon* the administering Power to transmit information regarding the political, economic and social situation of New Caledonia to the Secretary-General;

8. *Invites* all the parties involved to continue promoting a framework for the peaceful progress of the Territory towards an act of self-determination in which all options are open and which would safeguard the rights of all New Caledonians according to the letter and the spirit of the Nouméa Accord, which is based on the principle that it is for the populations of New Caledonia to choose how to control their destiny;

9. *Welcomes* measures that have been taken to strengthen and diversify the New Caledonian economy in all fields, and encourages further such measures in accordance with the spirit of the Matignon and Nouméa Accords;

10. *Also welcomes* the importance attached by the parties to the Matignon and Nouméa Accords to greater progress in housing, employment, training, education and health care in New Caledonia;

11. *Acknowledges* the contribution of the Melanesian Cultural Centre to the protection of the indigenous culture of New Caledonia;

12. *Notes* the positive initiatives aimed at protecting the natural environment of New Caledonia, notably the "Zonéco" operation designed to map and evaluate marine resources within the economic zone of New Caledonia;

13. *Acknowledges* the close links between New Caledonia and the peoples of the South Pacific and the positive actions being taken by the French and territorial authorities to facilitate the further development of those links, including the development of closer relations with the countries members of the Pacific Islands Forum;

14. *Welcomes*, in this regard, the accession by New Caledonia to the status of observer in the Pacific Islands Forum, continuing high-level visits to New Caledonia by delegations from countries of the Pacific region and high-level visits by delegations from New Caledonia to countries members of the Pacific Islands Forum;

15. *Decides* to keep under continuous review the process unfolding in New Caledonia as a result of the signing of the Nouméa Accord;

16. *Also decides* to continue the examination of the question of the Non-Self-Governing Territory of New Caledonia and to report thereon to the General Assembly at its fifty-eighth session.

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General Assembly

Distr.: General
18 June 2002

Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Resolution adopted by the Special Committee at its 7th meeting, on 17 June 2002

Question of Tokelau

The Special Committee,

Having considered the question of Tokelau,

Recalling the solemn declaration on the future status of Tokelau, delivered by the *Ulu-o-Tokelau* (the highest authority on Tokelau) on 30 July 1994, which states that an act of self-determination in Tokelau is now under active consideration, together with the constitution of a self-governing Tokelau, and that the present preference of Tokelau is for a status of free association with New Zealand,

Recalling also General Assembly resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all resolutions and decisions of the United Nations relating to Non-Self-Governing Territories, in particular General Assembly resolution 56/71 of 10 December 2001,

Recalling further the emphasis placed in the solemn declaration on the terms of Tokelau's special relationship with New Zealand, including the expectation that the form of help which Tokelau could continue to expect from New Zealand in promoting the well-being of its people, besides its external interests, would be clearly established in the framework of that relationship,

Noting with appreciation the continuing exemplary cooperation of New Zealand as the administering Power with regard to the work of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to Tokelau and its readiness to permit access by United Nations visiting missions to the Territory,

Noting also with appreciation the collaborative contribution to the development of Tokelau by New Zealand and the specialized agencies and other

02-43057 (E)

organizations of the United Nations system, in particular the United Nations Development Programme and the World Health Organization,

Recalling the dispatch in 1994 of a United Nations visiting mission to Tokelau,

Noting that, as a small island Territory, Tokelau exemplifies the situation of most remaining Non-Self-Governing Territories,

Noting also that, as a case study pointing to successful decolonization, Tokelau has wider significance for the United Nations as it seeks to complete its work in decolonization,

1. *Notes* that Tokelau remains firmly committed to the development of self-government and to an act of self-determination that would result in Tokelau assuming a status in accordance with the options on future status for Non-Self-Governing Territories contained in principle VI of the annex to General Assembly resolution 1541 (XV) of 15 December 1960;

2. *Also notes* the desire of Tokelau to move at its own pace towards an act of self-determination;

3. *Further notes* the inauguration in 1999 of a national Government based on village elections by universal adult suffrage;

4. *Acknowledges* Tokelau's goal to return authority to its traditional leadership, and its wish to provide that leadership with the necessary support to carry out its functions in the contemporary world;

5. *Also acknowledges* the progress made towards that goal under the Modern House of Tokelau project, and Tokelau's view that that project, in its governance and economic development dimensions, is seen by its people as the means to achieving their act of self-determination;

6. *Further acknowledges* Tokelau's initiative in devising a strategic economic development plan for the period 2002 to 2004 in order to advance its capacity for self-government;

7. *Notes* that, consistent with the expressed desires of past traditional leaders and the principles of the Modern House of Tokelau, Tokelau has established a local public service employer which enabled the New Zealand State Services Commissioner to withdraw from his role as employer of the Tokelau Public Service as from 30 June 2001;

8. *Welcomes* the initiation of the dialogue with the administering Power and the Territory in June 2001 with a view to the development of a programme of work for Tokelau in accordance with General Assembly resolution 55/147 of 8 December 2000;

9. *Acknowledges* the continuing support which New Zealand has committed to the Modern House of Tokelau project in 2002-2003, and the cooperation of the United Nations Development Programme in aligning its programmes under the project;

10. *Notes* that the Constitution of a self-governing Tokelau will continue to develop as a part and as a consequence of the building of the Modern House of Tokelau, and that both have national and international importance for Tokelau;

11. *Acknowledges* Tokelau's need for continued reassurance given the cultural adjustments that are taking place with the strengthening of its capacity for self-government and, given that local resources cannot adequately cover the material side of self-determination, the ongoing responsibility of Tokelau's external partners to assist Tokelau in balancing its desire to be self-reliant to the greatest extent possible with its need for external assistance;

12. *Notes* the special challenge inherent in the situation of Tokelau, among the smallest of the small Territories, and how a Territory's exercise of its inalienable right to self-determination may be brought closer, as in the case of Tokelau, by the meeting of that challenge in innovative ways;

13. *Acknowledges* the desire of the partners to reaffirm their commitment to each other, and the efforts being made in the context of the draft programme of work for Tokelau, to identify the principles underpinning the New Zealand/Tokelau relationship with a view to establishing a dynamic basis for its future development;

14. *Welcomes* the assurance of the Government of New Zealand that it will meet its obligations to the United Nations with respect to Tokelau and abide by the freely expressed wishes of the people of Tokelau with regard to their future status;

15. *Also welcomes* the cooperative attitude of the other States and territories in the region towards Tokelau, its economic and political aspirations and its increasing participation in regional and international affairs;

16. *Further welcomes* Tokelau's associate membership in the United Nations Educational, Scientific and Cultural Organization and the decision of the Forum Fisheries Committee to recommend to the Pacific Islands Forum Tokelau's full membership in the Forum Fisheries Agency;

17. *Calls upon* the administering Power and United Nations agencies to continue to provide assistance to Tokelau as it further develops its economy and governance structures in the context of its ongoing constitutional evolution;

18. *Decides* to continue examination of the question of the Non-Self-Governing Territory of Tokelau and to report thereon to the General Assembly at its fifty-eighth session.

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General Assembly

Distr.: General
20 June 2002

Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Resolution adopted by the Special Committee at its 8th meeting, on 19 June 2002

Question of the Falkland Islands (Malvinas)

The Special Committee,

Having considered the question of the Falkland Islands (Malvinas),

Aware that the maintenance of colonial situations is incompatible with the United Nations ideal of universal peace,

Recalling General Assembly resolutions 1514 (XV) of 14 December 1960, 2065 (XX) of 16 December 1965, 3160 (XXVIII) of 14 December 1973, 31/49 of 1 December 1976, 37/9 of 4 November 1982, 38/12 of 16 November 1983, 39/6 of 1 November 1984, 40/21 of 27 November 1985, 41/40 of 25 November 1986, 42/19 of 17 November 1987 and 43/25 of 17 November 1988, Special Committee resolutions A/AC.109/756 of 1 September 1983, A/AC.109/793 of 21 August 1984, A/AC.109/842 of 9 August 1985, A/AC.109/885 of 14 August 1986, A/AC.109/930 of 14 August 1987, A/AC.109/972 of 11 August 1988, A/AC.109/1008 of 15 August 1989, A/AC.109/1050 of 14 August 1990, A/AC.109/1087 of 14 August 1991, A/AC.109/1132 of 29 July 1992, A/AC.109/1169 of 14 July 1993, A/AC.109/2003 of 12 July 1994, A/AC.109/2033 of 13 July 1995, A/AC.109/2062 of 22 July 1996, A/AC.109/2096 of 16 June 1997, A/AC.109/2122 of 6 July 1998, A/AC.109/1999/23 of 1 July 1999, A/AC.109/2000/23 of 11 July 2000 and A/AC.109/2001/25 of 29 June 2001 and Security Council resolutions 502 (1982) of 3 April 1982 and 505 (1982) of 26 May 1982,

Distressed that, notwithstanding the time that has elapsed since the adoption of General Assembly resolution 2065 (XX), this prolonged dispute has not yet been settled,

Aware of the interest of the international community in the resumption by the Governments of the Argentine Republic and the United Kingdom of Great Britain and Northern Ireland of their negotiations in order to find as soon as possible a

02-43441 (E)

peaceful, just and lasting solution to the sovereignty dispute relating to the question of the Falkland Islands (Malvinas),

Expressing its preoccupation over the fact that the good level of relations between Argentina and the United Kingdom has not yet led to negotiations on the question of the Falkland Islands (Malvinas),

Considering that this situation should facilitate the resumption of the negotiations in order to find a peaceful solution to the dispute over sovereignty,

Reaffirming the principles of the Charter of the United Nations on the non-use of force or the threat of force in international relations and the peaceful settlement of international disputes,

Calling attention to the importance of the Secretary-General continuing his efforts to give full effect to the mission entrusted to him by the General Assembly in the resolutions on the question of the Falkland Islands (Malvinas),

Reaffirming the need for the parties to take due account of the interests of the population of the islands in accordance with the provisions of the General Assembly resolutions on the question of the Falkland Islands (Malvinas),

1. *Reiterates* that the way to put an end to the special and particular colonial situation in the question of the Falkland Islands (Malvinas) is the peaceful and negotiated settlement of the dispute over sovereignty between the Governments of the Argentine Republic and the United Kingdom of Great Britain and Northern Ireland;

2. *Takes note* of the views expressed by the President of the Argentine Republic on the occasion of the fifty-sixth session of the General Assembly;

3. *Regrets* that, in spite of the widespread international support for a negotiation between the Governments of Argentina and the United Kingdom that includes all aspects on the future of the Falkland Islands (Malvinas), the implementation of the General Assembly resolutions on this question has not yet started;

4. *Requests* the Governments of Argentina and the United Kingdom to consolidate the current process of dialogue and cooperation through the resumption of negotiations in order to find as soon as possible a peaceful solution to the sovereignty dispute relating to the question of the Falkland Islands (Malvinas), in accordance with the provisions of General Assembly resolutions 2065 (XX), 3160 (XXVIII), 31/49, 37/9, 38/12, 39/6, 40/21, 41/40, 42/19 and 43/25;

5. *Reiterates its firm support* for the mission of good offices of the Secretary-General in order to assist the parties in complying with the request made by the General Assembly in its resolutions on the question of the Falkland Islands (Malvinas);

6. *Decides* to keep under review the question of the Falkland Islands (Malvinas) subject to the directives that the General Assembly has issued and may issue in that regard.

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General Assembly

Distr.: General
24 June 2002

Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Resolution adopted by the Special Committee at its ninth meeting, on 24 June 2002

Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations

The Special Committee,

Having considered the item entitled "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations",

Having also considered the report of the Secretary-General on the item,[1]

Recalling General Assembly resolutions 1514 (XV) of 14 December 1960 and 1541 (XV) of 15 December 1960 and the resolutions of the Special Committee, as well as other relevant resolutions and decisions, including in particular Economic and Social Council resolution 2001/28 of 26 July 2001,

Bearing in mind the relevant provisions of the final documents of the successive Conferences of Heads of State or Government of Non-Aligned Countries and of the resolutions adopted by the Assembly of Heads of State and Government of the Organization of African Unity, the Pacific Islands Forum and the Caribbean Community,

Conscious of the need to facilitate the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in resolution 1514 (XV),

Noting that the large majority of the remaining Non-Self-Governing Territories are small island Territories,

[1] A/57/73.

02-43948 (E)

Welcoming the assistance extended to Non-Self-Governing Territories by certain specialized agencies and other organizations of the United Nations system, in particular the United Nations Development Programme,

Also welcoming the current participation in the capacity of observers of those Non-Self-Governing Territories which are associate members of regional commissions in the world conferences in the economic and social sphere, subject to the rules of procedure of the General Assembly and in accordance with relevant United Nations resolutions and decisions, including resolutions and decisions of the Assembly and the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples on specific Territories,

Noting that only some specialized agencies and other organizations of the United Nations system have been involved in providing assistance to Non-Self-Governing Territories,

Stressing that, because the development options of the small island Non-Self-Governing Territories are limited, there are special challenges to planning for and implementing sustainable development and that those Territories will be constrained in meeting the challenges without the continued cooperation and assistance of the specialized agencies and other organizations of the United Nations system,

Stressing also the importance of securing the necessary resources for funding expanded assistance programmes for the peoples concerned and the need to enlist the support of all major funding institutions within the United Nations system in that regard,

Reaffirming the mandates of the specialized agencies and other organizations of the United Nations system to take all appropriate measures, within their respective spheres of competence, to ensure the full implementation of General Assembly resolution 1514 (XV) and other relevant resolutions,

Expressing its appreciation to the Organization of African Unity, the Pacific Islands Forum, the Caribbean Community and other regional organizations for the continued cooperation and assistance they have extended to the specialized agencies and other organizations of the United Nations system in this regard,

Expressing its conviction that closer contacts and consultations between and among the specialized agencies and other organizations of the United Nations system and regional organizations help to facilitate the effective formulation of assistance programmes to the peoples concerned,

Mindful of the imperative need to keep under continuous review the activities of the specialized agencies and other organizations of the United Nations system in the implementation of the various United Nations decisions relating to decolonization,

Bearing in mind the extremely fragile economies of the small island Non-Self-Governing Territories and their vulnerability to natural disasters, such as hurricanes, cyclones and sea-level rise, and recalling the relevant resolutions of the General Assembly,

Recalling General Assembly resolution 56/67 of 10 December 2001 on the implementation of the Declaration by the specialized agencies and the international institutions associated with the United Nations,

1. *Takes note* of the report of the Secretary-General;[1]

2. *Recommends* that all States intensify their efforts in the specialized agencies and other organizations of the United Nations system to ensure the full and effective implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV), and other relevant resolutions of the United Nations;

3. *Reaffirms* that the specialized agencies and other organizations and institutions of the United Nations system should continue to be guided by the relevant resolutions of the United Nations in their efforts to contribute to the implementation of the Declaration and all other relevant General Assembly resolutions;

4. *Reaffirms also* that the recognition by the General Assembly, the Security Council and other United Nations organs of the legitimacy of the aspirations of the peoples of the Non-Self-Governing Territories to exercise their right to self-determination entails, as a corollary, the extension of all appropriate assistance to those peoples;

5. *Expresses its appreciation* to those specialized agencies and other organizations of the United Nations system that have continued to cooperate with the United Nations and the regional and subregional organizations in the implementation of General Assembly resolution 1514 (XV) and other relevant resolutions of the United Nations, and requests all the specialized agencies and other organizations of the United Nations system to implement the relevant provisions of those resolutions;

6. *Requests* the specialized agencies and other organizations of the United Nations system and international and regional organizations to examine and review conditions in each Territory so as to take appropriate measures to accelerate progress in the economic and social sectors of the Territories;

7. *Urges* those specialized agencies and organizations of the United Nations system that have not yet provided assistance to Non-Self-Governing Territories to do so as soon as possible;

8. *Requests* the specialized agencies and other organizations and institutions of the United Nations system and regional organizations to strengthen existing measures of support and formulate appropriate programmes of assistance to the remaining Non-Self-Governing Territories, within the framework of their respective mandates, in order to accelerate progress in the economic and social sectors of those Territories;

9. *Requests* the specialized agencies and other organizations of the United Nations system concerned to provide information on:

(a) Environmental problems facing the Non-Self-Governing Territories;

(b) The impact of natural disasters, such as hurricanes and volcanic eruptions, and other environmental problems, such as beach and coastal erosion and droughts, on those Territories;

(c) Ways and means to assist the Territories to fight drug trafficking, money-laundering and other illegal and criminal activities;

(d) The illegal exploitation of the marine resources of the Territories and the need to utilize those resources for the benefit of the peoples of the Territories;

10. *Recommends* that the executive heads of the specialized agencies and other organizations of the United Nations system formulate, with the active cooperation of the regional organizations concerned, concrete proposals for the full implementation of the relevant resolutions of the United Nations and submit the proposals to their governing and legislative organs;

11. *Also recommends* that the specialized agencies and other organizations of the United Nations system continue to review at the regular meetings of their governing bodies the implementation of General Assembly resolution 1514 (XV) and other relevant resolutions of the United Nations;

12. *Welcomes* the continuing initiative exercised by the United Nations Development Programme in maintaining close liaison among the specialized agencies and other organizations of the United Nations system and in providing assistance to the peoples of the Non-Self-Governing Territories;

13. *Encourages* Non-Self-Governing Territories to take steps to establish and/or strengthen disaster preparedness and management institutions and policies;

14. *Requests* the administering Powers concerned to facilitate, when appropriate, the participation of appointed and elected representatives of Non-Self-Governing Territories in the relevant meetings and conferences of the specialized agencies and other organizations of the United Nations system, in accordance with relevant United Nations resolutions and decisions, including resolutions and decisions of the General Assembly and the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples on specific Territories, so that the Territories may benefit from the related activities of those agencies and organizations;

15. *Recommends* that all Governments intensify their efforts in the specialized agencies and other organizations of the United Nations system of which they are members to accord priority to the question of providing assistance to the peoples of the Non-Self-Governing Territories;

16. *Requests* the Secretary-General to continue to assist the specialized agencies and other organizations of the United Nations system in working out appropriate measures for implementing the relevant resolutions of the United Nations and to prepare for submission to the relevant bodies, with the assistance of those agencies and organizations, a report on the action taken in implementation of the relevant resolutions, including the present resolution, since the circulation of his previous report;

17. *Commends* the Economic and Social Council for its debate and resolution on this question, and requests it to continue to consider, in consultation with the Special Committee, appropriate measures for coordination of the policies and activities of the specialized agencies and other organizations of the United Nations system in implementing the relevant resolutions of the General Assembly;

18. *Requests* the specialized agencies to report periodically to the Secretary-General on the implementation of the present resolution;

19. *Requests* the Secretary-General to transmit the present resolution to the governing bodies of the appropriate specialized agencies and international institutions associated with the United Nations so that those bodies may take the necessary measures to implement the resolution, and also requests the Secretary-General to report to the General Assembly at its fifty-eighth session on the implementation of the present resolution;

20. *Decides*, subject to any directives the General Assembly might wish to give at its fifty-seventh session, to continue to examine the question and to report thereon to the Assembly at its fifty-eighth session.

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General Assembly

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25 June 2002

Original: English

Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Letter dated 25 June 2002 from the Chargé d'affaires a.i. of the Permanent Mission of New Zealand to the United Nations addressed to the Chairman of the Special Committee

During the recent session of the Special Committee, the possibility of the Committee's visiting Tokelau was raised. When he met separately with the Committee for the informal dialogue, the Ulu-o-Tokelau, Faipule Pio Tuia, enccuraged such a visit. The Ulu noted that the matter had been discussed at the General Fono in February 2002 and that Tokelau looked forward to receiving a mission in the near future.

It is my pleasure formally to extend an invitation from New Zealand, as administering Power, to the Committee to visit Tokelau and Wellington for discussions during the month of August 2002. Owing to the forthcoming general election in New Zealand and the holding of the Pacific Forum in the second week of August, I would suggest a timing that involved arriving in Tokelau on Monday, 12 August, for a visit of four to five days, followed by discussions in Wellington on Monday and Tuesday, 19 and 20 August.

(*Signed*) Tim **McIvor**
Chargé d'affaires a.i.

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General Assembly

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26 June 2002

Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Resolution adopted by the Special Committee at its 10th meeting, on 26 June 2002

Economic and other activities which affect the interests of the peoples of the Non-Self-Governing Territories

The Special Committee,

Having considered the item entitled "Economic and other activities which affect the interests of the peoples of the Non-Self-Governing Territories",

Recalling General Assembly resolution 1514 (XV) of 14 December 1960, as well as all other relevant General Assembly resolutions, including, in particular, resolutions 46/181 of 19 December 1991 and 55/146 of 8 December 2000,

Reaffirming the solemn obligation of the administering Powers under the Charter of the United Nations to promote the political, economic, social and educational advancement of the inhabitants of the Territories under their administration and to protect the human and natural resources of those Territories against abuses,

Reaffirming also that any economic or other activity that has a negative impact on the interests of the peoples of the Non-Self-Governing Territories and on the exercise of their right to self-determination in conformity with the Charter of the United Nations and General Assembly resolution 1514 (XV) is contrary to the purposes and principles of the Charter,

Reaffirming further that the natural resources are the heritage of the peoples of the Non-Self-Governing Territories, including the indigenous populations,

Aware of the special circumstances of the geographical location, size and economic conditions of each Territory, and bearing in mind the need to promote the economic stability, diversification and strengthening of the economy of each Territory,

02-44554 (E)

Conscious of the particular vulnerability of the small Territories to natural disasters and environmental degradation,

Conscious also that foreign economic investment, when done in collaboration with the peoples of the Non-Self-Governing Territories and in accordance with their wishes, could make a valid contribution to the socio-economic development of the Territories and could also make a valid contribution to the exercise of their right to self-determination,

Concerned about any activities aimed at exploiting the natural and human resources of the Non-Self-Governing Territories to the detriment of the interests of the inhabitants of those Territories,

Bearing in mind the relevant provisions of the final documents of the successive Conferences of Heads of State or Government of Non-Aligned Countries and of the resolutions adopted by the Assembly of Heads of State and Government of the Organization of African Unity, the Pacific Islands Forum and the Caribbean Community,

1. *Reaffirms* the right of peoples of Non-Self-Governing Territories to self-determination in conformity with the Charter of the United Nations and with General Assembly resolution 1514 (XV), containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, as well as their right to the enjoyment of their natural resources and their right to dispose of those resources in their best interest;

2. *Affirms* the value of foreign economic investment undertaken in collaboration with the peoples of the Non-Self-Governing Territories and in accordance with their wishes in order to make a valid contribution to the socio-economic development of the Territories;

3. *Reaffirms* the responsibility of the administering Powers under the Charter to promote the political, economic, social and educational advancement of the Non-Self-Governing Territories, and reaffirms the legitimate rights of their peoples over their natural resources;

4. *Reaffirms its concern* about any activities aimed at the exploitation of the natural resources that are the heritage of the peoples of the Non-Self-Governing Territories, including the indigenous populations, in the Caribbean, the Pacific and other regions, as well as their human resources, to the detriment of their interests, and in such a way as to deprive them of their right to dispose of those resources;

5. *Affirms* the need to avoid any economic and other activities which adversely affect the interests of the peoples of the Non-Self-Governing Territories;

6. *Calls once again upon* all Governments that have not yet done so to take, in accordance with the relevant provisions of General Assembly resolution 2621 (XXV) of 12 October 1970, legislative, administrative or other measures in respect of their nationals and the bodies corporate under their jurisdiction that own and operate enterprises in the Non-Self-Governing Territories that are detrimental to the interests of the inhabitants of those Territories, in order to put an end to such enterprises;

7. *Reiterates* that the damaging exploitation and plundering of the marine and other natural resources of the Non-Self-Governing Territories, in violation of the

relevant resolutions of the United Nations, is a threat to the integrity and prosperity of those Territories;

8. *Invites* all Governments and organizations of the United Nations system to take all possible measures to ensure that the permanent sovereignty of the peoples of the Non-Self-Governing Territories over their natural resources is fully respected and safeguarded in accordance with the relevant resolutions of the United Nations on decolonization;

9. *Urges* the administering Powers concerned to take effective measures to safeguard and guarantee the inalienable right of the peoples of the Non-Self-Governing Territories to their natural resources and to establish and maintain control over the future development of those resources, and requests the administering Powers to take all necessary steps to protect the property rights of the peoples of those Territories in accordance with the relevant resolutions of the United Nations on decolonization;

10. *Calls upon* the administering Powers concerned to ensure that no discriminatory working conditions prevail in the Territories under their administration and to promote in each Territory a fair system of wages applicable to all the inhabitants without any discrimination;

11. *Requests* the Secretary-General to continue, through all means at his disposal, to inform world public opinion of any activity that affects the exercise of the right of the peoples of the Non-Self-Governing Territories to self-determination in conformity with the Charter and General Assembly resolution 1514 (XV);

12. *Appeals* to the mass media, trade unions and non-governmental organizations, as well as individuals, to continue their efforts to promote the economic well-being of the peoples of the Non-Self-Governing Territories;

13. *Decides* to follow the situation in the Non-Self-Governing Territories so as to ensure that all economic activities in those Territories are aimed at strengthening and diversifying their economies in the interest of their peoples, including the indigenous populations, and at promoting the economic and financial viability of those Territories;

14. *Decides* to continue to examine this question and to report thereon to the General Assembly at its fifty-eighth session.

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General Assembly

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26 June 2002

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Special Committee on the Situation with regard to the Implementation of the Declaration of the Granting of Independence to Colonial Countries and Peoples

Decision adopted by the Special Committee at its 10th meeting, on 26 June 2002

Military activities and arrangements by colonial Powers in Territories under their administration

1. The Special Committee, having considered the item entitled "Military activities and arrangements by colonial Powers in Territories under their administration" and recalling General Assembly resolution 1514 (XV) of 14 December 1960 and all other relevant resolutions and decisions of the United Nations relating to military activities in colonial and Non-Self-Governing Territories, reaffirms its strong conviction that military bases and installations in the Territories concerned could constitute an obstacle to the exercise by the people of those Territories of their right to self-determination, and reiterates its strong views that existing bases and installations, which are impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, should be withdrawn.

2. Aware of the presence of such bases and installations in some of those Territories, the Special Committee urges the administering Powers concerned to continue to take all necessary measures not to involve those Territories in any offensive acts or interference against other States.

3. The Special Committee reiterates its concern that military activities and arrangements by colonial Powers in Territories under their administration might run counter to the rights and interests of the colonial peoples concerned, especially their right to self-determination and independence. The Committee once again calls upon the administering Powers concerned to terminate such activities and to eliminate such military bases in compliance with the relevant resolutions of the General Assembly. Alternative sources of livelihood for the peoples of the Non-Self-Governing Territories should be provided.

4. The Special Committee reiterates that the colonial and Non-Self-Governing Territories and areas adjacent thereto should not be used for nuclear

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testing, dumping of nuclear wastes or deployment of nuclear and other weapons of mass destruction.

5. The Special Committee deplores the continued alienation of land in colonial and Non-Self-Governing Territories, particularly in the small island Territories of the Pacific and Caribbean regions, for military installations. The large-scale utilization of the local resources for this purpose could adversely affect the economic development of the Territories concerned.

6. The Special Committee takes note of the decision of some of the administering Powers to close or downsize some of those military bases in the Non-Self-Governing Territories.

7. The Special Committee requests the Secretary-General to continue to inform world public opinion of those military activities and arrangements in colonial and Non-Self-Governing Territories which constitute an obstacle to the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

8. The Special Committee decides, subject to any directives that the General Assembly may give in this connection at its fifty-seventh session, to continue to consider the item at its next session.

United Nations A/AC.109/2002/30

General Assembly

Distr.: General

26 June 2002

Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Resolution adopted by the Special Committee at its 10th meeting, on 26 June 2002

Questions of American Samoa, Anguilla, Bermuda, British Virgin Islands, the Cayman Islands, Guam, Montserrat, Pitcairn, St. Helena, the Turks and Caicos Islands and the United States Virgin Islands

A
General

The Special Committee,

Having considered the questions of the Non-Self-Governing Territories of American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Pitcairn, St. Helena, the Turks and Caicos Islands and the United States Virgin Islands, hereinafter referred to as "the Territories",

Recalling General Assembly resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all resolutions and decisions of the United Nations relating to those Territories, including, in particular, the resolutions adopted by the General Assembly at its fifty-sixth session on the individual Territories covered by the present resolution,

Recognizing that the specific characteristics and the sentiments of the peoples of the Territories require flexible, practical and innovative approaches to the options of self-determination, without any prejudice to territorial size, geographical location, size of population or natural resources,

Recalling General Assembly resolution 1541 (XV) of 15 December 1960, containing the principles that should guide Member States in determining whether or not an obligation exists to transmit the information called for under Article 73 *e* of the Charter of the United Nations,

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Expressing its concern that more than forty years after the adoption of the Declaration there still remain a number of Non-Self-Governing Territories,

Acknowledging the significant achievements by the international community towards the eradication of colonialism in accordance with the Declaration, and conscious of the importance of continuing effective implementation of the Declaration, taking into account the target set by the United Nations to eradicate colonialism by the year 2010 and the plan of action for the Second International Decade for the Eradication of Colonialism,[1]

Noting the positive constitutional developments in some Non-Self-Governing Territories about which the Special Committee has received information, while also acknowledging the need for recognition to be given to expressions of self-determination by the peoples of the Territories consistent with practice under the Charter,

Recognizing that in the decolonization process there is no alternative to the principle of self-determination as enunciated by the General Assembly in its resolutions 1514 (XV), 1541 (XV) and other resolutions,

Welcoming the stated position of the Government of the United Kingdom of Great Britain and Northern Ireland that it continues to take seriously its obligations under the Charter to develop self-government in the dependent Territories and, in cooperation with the locally elected Governments, to ensure that their constitutional frameworks continue to meet the wishes of the people, and the emphasis that it is ultimately for the peoples of the Territories to decide their future status,

Welcoming also the stated position of the Government of the United States of America that it supports fully the principles of decolonization and takes seriously its obligations under the Charter to promote to the utmost the well-being of the inhabitants of the Territories under United States administration,

Aware of the special circumstances of the geographical location and economic conditions of each Territory, and bearing in mind the necessity of promoting economic stability and diversifying and strengthening further the economies of the respective Territories as a matter of priority,

Conscious of the particular vulnerability of the Territories to natural disasters and environmental degradation and, in this connection, bearing in mind the programmes of action of the United Nations Conference on Environment and Development, the World Conference on Natural Disaster Reduction, the Global Conference on the Sustainable Development of Small Island Developing States, the International Conference on Population and Development, the United Nations Conference on Human Settlements, and other relevant world conferences,

Aware of the usefulness both to the Territories and to the Special Committee of the participation of appointed and elected representatives of the Territories in the work of the Special Committee,

Convinced that the wishes and aspirations of the peoples of the Territories should continue to guide the development of their future political status and that referendums, free and fair elections and other forms of popular consultation play an important role in ascertaining the wishes and aspirations of the people,

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[1] A/56/61, annex.

Convinced also that any negotiations to determine the status of a Territory must not take place without the active involvement and participation of the people of that Territory, and that the views of the peoples of the Non-Self-Governing Territories in respect of their right to self-determination should be ascertained under the supervision of the United Nations, on a case-by-case basis,

Recognizing that all available options for self-determination of the Territories are valid as long as they are in accordance with the freely expressed wishes of the peoples concerned and in conformity with the clearly defined principles contained in resolutions 1514 (XV), 1541 (XV) and other resolutions of the General Assembly,

Mindful that United Nations visiting missions provide an effective means of ascertaining the situation in the Territories, and considering that the possibility of sending further visiting missions to the Territories at an appropriate time and in consultation with the administering Powers should be kept under review,

Mindful also that, by holding a Pacific regional seminar at Nadi, Fiji, from 14 to 16 May 2002, it was able to hear the views of the representatives of the Territories, as well as Governments and organizations in the region, in order to review the political, economic and social conditions in the Territories,

Mindful further that in order for it to enhance its understanding of the political status of the peoples of the Territories and to fulfil its mandate effectively, it is important for the Special Committee to be apprised by the administering Powers and to receive information from other appropriate sources, including the representatives of the Territories, concerning the wishes and aspirations of the peoples of the Territories,

Recognizing the need for the Special Committee actively to embark on a public awareness campaign aimed at assisting the peoples of the Territories in gaining an understanding of the options of self-determination,

Mindful in this connection that the holding of regional seminars in the Caribbean and Pacific regions and at Headquarters and other venues, with the active participation of representatives of the Non-Self-Governing Territories, provides a helpful means for the Special Committee to fulfil its mandate, and that the regional nature of the seminars, alternating between the Caribbean and Pacific, is a crucial element in their success, while recognizing the need for reviewing the role of those seminars in the context of a United Nations programme for ascertaining the political status of the Territories,

Mindful also that some Territories have not had any United Nations visiting mission for a long period of time and that no such visiting missions have been sent to some of the Territories,

Noting with appreciation the contribution to the development of some Territories by specialized agencies and other organizations of the United Nations system, in particular the United Nations Development Programme, and regional institutions such as the Caribbean Development Bank, the Caribbean Community, the Organization of Eastern Caribbean States, the Pacific Islands Forum and the agencies of the Council of Regional Organizations of the Pacific,

Noting that some territorial Governments have made efforts towards achieving the highest standards of financial supervision and noting also that some territorial

Governments have expressed concern about insufficient dialogue between them and the Organisation for Economic Cooperation and Development on that matter,

Concerned that in 2001 economic growth slowed in many Non-Self-Governing Territories, particularly in the tourism and construction sectors,

Recalling its ongoing efforts in carrying out a critical review of its work with the aim of making appropriate and constructive recommendations and decisions to attain its objectives in accordance with its mandate,

1. *Reaffirms* the inalienable right of the peoples of the Territories to self-determination, including, if they so wish, independence, in conformity with the Charter of the United Nations and with General Assembly resolution 1514 (XV), containing the Declaration on the Granting of Independence to Colonial Countries and Peoples;

2. *Reaffirms also* that it is ultimately for the peoples of the Territories themselves to determine freely their future political status in accordance with the relevant provisions of the Charter, the Declaration and the relevant resolutions of the General Assembly, and in that connection calls upon the administering Powers, in cooperation with the territorial Governments, to facilitate programmes of political education in the Territories in order to foster an awareness among the people of their right to self-determination in conformity with the legitimate political status options, based on the principles clearly defined in General Assembly resolution 1541 (XV);

3. *Further reaffirms* that in the process of decolonization, there is no alternative to the principle of self-determination, which is also a fundamental human right;

4. *Requests* the administering Powers to transmit to the Secretary-General information called for under Article 73 *e* of the Charter and other updated information and reports, including reports on the wishes and aspirations of the peoples of the Territories regarding their future political status as expressed in fair and free referendums and other forms of popular consultation, as well as the results of any informed and democratic processes consistent with practice under the Charter that indicate the clear and freely expressed wish of the people to change the existing status of the Territories;

5. *Stresses* the importance for it to be apprised of the views and wishes of the peoples of the Territories and to enhance its understanding of their conditions;

6. *Reaffirms* that United Nations visiting missions to the Territories at an appropriate time and in consultation with the administering Powers are an effective means of ascertaining the situation in the Territories, and requests the administering Powers and the elected representatives of the peoples of the Territories to assist the Special Committee in this regard;

7. *Reaffirms also* the responsibility of the administering Powers under the Charter to promote the economic and social development and to preserve the cultural identity of the Territories, and recommends that priority continue to be given, in consultation with the territorial Governments concerned, to the strengthening and diversification of their respective economies;

8. *Requests* the administering Powers, in consultation with the peoples of the Territories, to take all necessary measures to protect and conserve the

environment of the Territories under their administration against any environmental degradation, and requests the specialized agencies concerned to continue to monitor environmental conditions in those Territories;

9. *Calls upon* the administering Powers, in cooperation with the respective territorial Governments, to continue to take all necessary measures to counter problems related to drug trafficking, money-laundering and other offences;

10. *Notes* the cooperative efforts of some Non-Self-Governing Territories to address the problem of illegal drugs, with a focus on demand reduction, education, treatment and legal issues;

11. *Notes with concern* that the plan of action for the first International Decade for the Eradication of Colonialism was not fully implemented by 2000, and stresses the importance of implementing the plan of action for the Second Decade, in particular through the development of work programmes for the decolonization of each Non-Self-Governing Territory on a case-by-case basis, including periodic analyses of each Territory and the review of the impact of the economic and social situation on the constitutional and political advancement of the Territories;

12. *Calls upon* the administering Powers to enter into constructive dialogue with the Special Committee before the fifty-seventh session of the General Assembly to develop a framework for the implementation of provisions of Article 73 *e* of the Charter and the Declaration on the Granting of Independence to the Colonial Countries and Peoples for the period 2001-2010;

13. *Notes* the particular circumstances that prevail in the Territories concerned, and encourages the political evolution in them towards self-determination;

14. *Urges* Member States to contribute to the efforts of the United Nations to usher into the twenty-first century a world free of colonialism, and calls upon them to continue to give their full support to the Special Committee in its endeavours towards that noble goal;

15. *Invites* the specialized agencies and other organizations of the United Nations system to initiate or to continue to take all necessary measures to accelerate progress in the economic and social life of the Territories, and calls for closer cooperation between the Special Committee and the Economic and Social Council in furtherance of the provision of assistance to the Territories;

16. *Takes note* that some Non-Self-Governing Territories expressed concern at the procedure by one administering Power, contrary to the wishes of the Territories themselves, of amending or enacting legislation for the Territories through Orders in Council, while recognizing that such Orders in Council were necessary in order for the administering Power to fulfil its international treaty obligations;

17. *Takes note* of statements made by the elected representatives of the Territories concerned emphasizing their willingness to cooperate with all international efforts aimed at preventing abuse of the international financial system and to promote regulatory environments with highly selective licensing procedures, robust supervisory practices and well-established anti-money-laundering regimes;

18. *Calls for* an enhanced and constructive dialogue between the Organisation for Economic Cooperation and Development and the concerned territorial Governments towards achieving the highest standards of financial supervision, and requests the administering Powers to assist those Territories in this matter;

19. *Requests* the Secretary-General to report to the General Assembly on the implementation of decolonization resolutions since the declaration of the International Decade for the Eradication of Colonialism;

20. *Decides* to continue its examination of the question of the small Territories and to report thereon to the General Assembly at its fifty-eighth session with recommendations on appropriate ways to assist the peoples of the Territories in exercising their right to self-determination.

B

Individual Territories

The Special Committee,

Referring to resolution A above,

I. American Samoa

Taking note of the report by the administering Power that most American Samoan leaders express satisfaction with the Territory's present relationship with the United States of America,

Also taking note that the leaders of American Samoa, including the Governor and Lieutenant Governor, are freely and fairly elected by the people, and that the general elections held in the Territory in 2000 resulted in the re-election of the incumbent Governor and Lieutenant Governor,

Taking note with interest of the statement made on the political status of American Samoa by the Lieutenant Governor of American Samoa at the Pacific regional seminar held at Nadi, Fiji, from 14 to 16 May 2002,

Noting that the Government of the Territory continues to have financial, budgetary and internal control problems, but that it has taken recent steps to increase revenues and decrease government expenditures,

Noting also that the Territory, similar to isolated communities with limited funds, continues to experience a lack of adequate medical and other infrastructural facilities,

Aware of the efforts of the Government of the Territory to control and reduce expenditures, while continuing its programme of expanding and diversifying the local economy,

1. *Requests* the administering Power to keep the Secretary-General informed of the wishes and aspirations of the people regarding their future political status, bearing in mind the views of the people of the Territory ascertained through a democratic process;

2. *Takes note* that the United States Department of the Interior provides that the Secretary of the Interior has administrative jurisdiction over American Samoa;

3. *Notes with interest* the statement of the Territory's Delegate to Congress delivered at the Caribbean regional seminar held in Havana, Cuba, from 23 to 25 May 2001, in which he indicated that he was not aware that the administering Power had selected American Samoa to be reviewed under the case-by-case informal method adopted by the Special Committee and the administering Power;

4. *Calls upon* the administering Power to continue to assist the territorial Government in the economic and social development of the Territory, including measures to rebuild financial management capabilities and strengthen other governmental functions of the Government of the Territory;

5. *Welcomes* the invitation extended to it by the Governor of American Samoa to send a visiting mission to the Territory;

II. Anguilla

Conscious of the commitment of both the Government of Anguilla and the administering Power to a new and closer policy of dialogue and partnership through the Strategic Country Programme 2000-2003,

Aware of the efforts of the Government of Anguilla to continue to develop the Territory as a viable offshore centre and well-regulated financial centre for investors, by enacting modern company and trust laws, as well as partnership and insurance legislation, and computerizing the company registry system,

Noting the need for continued cooperation between the administering Power and the territorial Government in tackling the problems of drug trafficking and money-laundering,

1. *Requests* the administering Power to keep the Secretary-General informed of the wishes and aspirations of the people regarding their future political status, bearing in mind the views of the people of the Territory ascertained through a democratic process;

2. *Calls upon* the administering Power and all States, organizations and United Nations agencies to continue to assist the Territory in social and economic development;

3. *Welcomes* the Country Cooperation Framework of the United Nations Development Programme for the period 1997-1999 and its extension currently being implemented following consultations with the territorial Government and key development partners in the United Nations system and the donor community, and further welcomes the inclusion of the Territory by the United Nations Development Programme in its 2001-2003 subregional cooperative framework for the countries of the Organization of Eastern Caribbean States and Barbados;

4. *Takes note* of the assessment by the Caribbean Development Bank, in its 2000 report on the Territory, that growth slowed to 1 per cent in 2000 from 7.5 per cent in 1999 as a result of damage caused by hurricane Lenny; that tourism, the largest contributor to gross domestic product, declined following the closure of several hotels, with the resultant negative impact on employment; that the cessation of aluminium trans-shipment to Europe eroded government revenue; and that medium-term growth prospects remain favourable given the expected recovery in the tourism sector;

5. *Also takes note* that the Caribbean Development Bank, in its study entitled "International and regional economic background in 2001 and prospects", noted that the territory experienced improved performance in 2001, when a 2 per cent rate of expansion represented a recovery from the contraction in 2000 caused by hurricane damage;

6. *Welcomes* the signing of a memorandum of understanding between the Caribbean Development Bank and the United Kingdom to conduct a country poverty assessment for the Territory;

7. *Welcomes* the establishment of the constitutional reform process, with emphasis on public information and education, with the expectation of a participatory environment in which changes to the constitution effective in the Territory can be formulated and recommended to the administering Power, pursuant to the recommendations as stated in its White Paper on Partnership for Progress and Prosperity: Britain and the Overseas Territories;

8. *Welcomes* the convening in the Territory in June 2002 of the 35th meeting of the authority of the Organization of Eastern Caribbean States, in which the Territory enjoys associate membership;

III. Bermuda

Noting the results of the independence referendum held on 16 August 1995, and conscious of the different viewpoints of the political parties of the Territory on the future status of the Territory,

Further noting discussions between the Territory and the administering Power on internal constitutional changes,

1. *Requests* the administering Power to keep the Secretary-General informed of the wishes and aspirations of the people regarding their future political status, bearing in mind the views of the people of the Territory ascertained through a democratic process;

2. *Calls upon* the administering Power to continue to work with the Territory for its socio-economic development;

3. *Welcomes* the agreement between the United States, the United Kingdom and the Territory in June 2002 formally transferring the former military baselands to the territorial Government, and the provision of financial resources to address some of the environmental problems;

4. *Welcomes* the accession of the territory as an associate member of the Caribbean Community;

IV. British Virgin Islands

Noting the last constitutional review in the Territory conducted by the Administering Power in 1993-1994, the coming into force of the amended Constitution, and the appointment by the territorial Government of a committee to assess the implications of independence in the implementation of a recommendation of the 1993 review,

Noting also the results of the constitutional review of 1993-1994, which made it clear that a prerequisite to independence must be a constitutionally expressed wish by the people as a result of a referendum,

Taking note of the motion adopted by the Legislative Council in March 2002, requesting the administering Power to appoint a commission to review the constitution with the aim of modernizing it, with specific attention to the creation of a sixth ministerial post, the standing of the Territory's "belonger" status and the devolution of power from the administering Power's representative to the elected Government,

Noting that the Territory continues to emerge as one of the world's leading offshore financial centres, with the financial services sector becoming the cornerstone of the government recurrent budget, accounting for over 50 per cent of government revenue, and further noting the establishment of the Financial Services Commission,

Noting also the need for continued cooperation between the administering Power and the territorial Government in countering drug trafficking and money-laundering, and further noting that the Territory hosted a meeting of the national drugs coordinators of the United Kingdom Territories in January 2002,

Noting further that the Territory commemorated its annual British Virgin Islands-United States Virgin Islands Friendship Day on 11 May 2002 in official ceremonies held in Tortola,

1. *Requests* the administering Power to keep the Secretary-General informed of the wishes and aspirations of the people regarding their future political status, bearing in mind the views of the people of the Territory ascertained through a democratic process;

2. *Requests* the administering Power, the specialized agencies and other organizations of the United Nations system and all financial institutions to continue to provide the Territory with assistance for socio-economic development and the development of human resources, bearing in mind the vulnerability of the Territory to external factors;

3. *Takes note* of the adoption by the Legislative Council of the Territory of the Corporal Punishment Abolition Act 2000, which brought to an end the exercise of such a power by the court or other authority;

4. *Welcomes* the completion of the airport terminal facility, which was the largest capital project of the Government;

5. *Welcomes further* the convening in the Territory in 2001 of a summit of elected leaders of Caribbean Territories, which addressed issues of constitution and governance, immigration and nationality, human rights, social development, civil aviation and safety, and environmental issues;

V. Cayman Islands

Noting the formation for the first time of a political party in the Territory and the subsequent change of government in November 2001,

Aware that the Territory has one of the highest per capita incomes in the region, a stable political climate and virtually no unemployment,

Noting the actions taken by the territorial Government to implement its localization programme to promote increased participation by the local population in the decision-making process in the Cayman Islands,

Noting with concern the vulnerability of the Territory to drug trafficking, money-laundering and related activities, and the measures taken by the authorities to deal with those problems,

Noting also that the Territory has emerged as one of the world's leading offshore financial centres,

Noting further the approval by the Cayman Islands Legislative Assembly of the Territory's Vision 2008 Development Plan, which aims to promote development that is consistent with the aims and values of Caymanian society,

Welcoming the convening in the Territory in September 2001 of the Human Rights Today Caribbean Symposium,

1. *Requests* the administering Power to keep the Secretary-General informed of the wishes and aspirations of the people regarding their future political status, bearing in mind the views of the people of the Territory ascertained through a democratic process;

2. *Takes note* of the adoption by the Legislative Assembly in 2001 of a referendum law, which confirmed that only a referendum makes it possible for the electorate to give a clear judgement on a single issue of immediate relevance, and that the Constitution of the Cayman Islands can only be amended through a referendum;

3. *Requests* the administering Power, the specialized agencies and other organizations of the United Nations system to continue to provide the territorial Government with all required expertise to enable it to achieve its socio-economic aims;

4. *Also requests* the administering Power, in consultation with the territorial Government, to continue to facilitate the expansion of the current programme of securing employment for the local population, in particular at the decision-making level;

5. *Welcomes* the implementation of the Country Cooperation Framework of the United Nations Development Programme for the Territory, which is designed to ascertain national development priorities and United Nations assistance needs;

6. *Notes* the negative impact on the economy of the Territory of the slowdown in economic performance in the world, as well as the determination of the new Government to modernize the economic structure and intensify the implementation of its financial management initiative;

7. *Welcomes* the accession of the Territory as an associate member of the Caribbean Community;

8. *Also welcomes* the completion of the report of the Constitutional Modernization Review Commission, which conducted an extensive review of the current constitution, with recommended changes, following public discussions with community groups and individuals, pursuant to the recommendations as stated in its

White Paper on Partnership for Progress and Prosperity: Britain and the Overseas Territories;

VI. Guam

Recalling that, in a referendum held in 1987, the registered and eligible voters of Guam endorsed a draft Guam Commonwealth Act that would establish a new framework for relations between the Territory and the administering Power, providing for a greater measure of internal self-government for Guam and recognition of the right of the Chamorro people of Guam to self-determination for the Territory,

Recalling also its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all resolutions and decisions of the United Nations relating to the Non-Self-Governing Territories, in particular, General Assembly resolutions 54/90 A and B of 6 December 1999,

Recalling further the requests by the elected representatives and non-governmental organizations of the Territory that Guam not be removed from the list of the Non-Self-Governing Territories with which the Special Committee is concerned, pending the self-determination of the Chamorro people and taking into account their egitimate rights and interests,

Aware that negotiations between the administering Power and the territorial Government on the draft Guam Commonwealth Act are no longer continuing and that Guam has established the process for a self-determination vote by the eligible Chamorro voters,

Cognizant that the administering Power continues to implement its programme of transferring surplus federal land to the Government of Guam,

Noting that the people of the Territory have called for reform in the programme of the administering Power with respect to the thorough, unconditional and expeditious transfer of land property to the people of Guam,

Conscious that immigration into Guam has resulted in the indigenous Chamorros becoming a minority in their homeland,

Aware of the potential for diversifying and developing the economy of Guam through commercial fishing and agriculture and other viable activities,

Noting the proposed closing and realigning of four United States Navy installations on Guam and the request for the establishment of a transition period to develop some of the closed facilities as commercial enterprises,

Recalling the dispatch in 1979 of a United Nations visiting mission to the Territory, and noting the recommendation of the 1996 Pacific regional seminar for sending a visiting mission to Guam,[2]

Noting with interest the statements made and the information on the political and economic situation in Guam provided by the representatives of the Territory to the Pacific regional seminar, held at Nadi, Fiji, from 14 to 16 May 2002,

[2] See A/AC.109/2058, para. 33 (20).

Concerned that the latest census figures in the Territory show that the percentage of persons living in poverty increased from 14 per cent in 1990 to 23 per cent in 2000,

1. *Requests* the administering Power to work with Guam's Commission on Decolonization for the Implementation and Exercise of Chamorro Self-Determination with a view to facilitating Guam's decolonization and to keep the Secretary-General informed of the progress to that end;

2. *Calls upon* the administering Power to take into consideration the expressed will of the Chamorro people as supported by Guam voters in the plebiscite of 1987 and as provided for in Guam law, encourages the administering Power and the territorial Government of Guam to enter into negotiations on the matter, and requests the administering Power to inform the Secretary-General of progress to that end;

3. *Requests* the administering Power to continue to assist the elected territorial Government in achieving its political, economic and social goals;

4. *Also requests* the administering Power, in cooperation with the territorial Government, to continue to transfer land to the original landowners of the Territory;

5. *Further requests* the administering Power to continue to recognize and respect the political rights and the cultural and ethnic identity of the Chamorro people of Guam, and to take all necessary measures to respond to the concerns of the territorial Government with regard to the question of immigration;

6. *Requests* the administering Power to cooperate in establishing programmes specifically intended to promote the sustainable development of economic activities and enterprises, noting the special role of the Chamorro people in the development of Guam;

7. *Also requests* the administering Power to continue to support appropriate measures by the territorial Government aimed at promoting growth in commercial fishing and agricultural and other viable activities;

VII. Montserrat

Taking note that Legislative Council elections were held in the Territory in 2001, resulting in the assumption to office of the New People's Liberation Movement Government,

Also taking note with interest of the statements made and the information on the political and economic situation in Montserrat provided by the elected representative of the Territory to the Caribbean regional seminar, held in Havana from 23 to 25 May 2001,

Noting that the last visiting mission to the Territory took place in 1982,

Noting with concern the dire consequences of a volcanic eruption, which led to the evacuation of three quarters of the Territory's population to safe areas of the island and to areas outside the Territory, in particular Antigua and Barbuda and the United Kingdom, and which continues to have a negative impact upon the economy of the island,

Welcoming the continued assistance to the Territory from Caribbean Community member States, in particular Antigua and Barbuda, which has provided safe refuge and access to educational and health facilities, as well as employment for thousands who have left the Territory,

Noting the efforts of the administering Power and the Government of the Territory to meet the emergency situation caused by the volcanic eruption, including the implementation of a wide range of contingency measures for both the private and the public sectors in Montserrat,

Noting also the coordinated response measures taken by the United Nations Development Programme and the assistance of the United Nations disaster management team,

Noting with concern that a number of the inhabitants of the Territory continue to live in shelters because of volcanic activity,

Welcoming the inclusion of the Territory by the United Nations Development Programme in its 2001-2003 subregional cooperative framework for the countries of the Organization of Eastern Caribbean States and Barbados,

Taking note of the establishment in 2001 of the Montserrat Financial Services Commission, which is responsible for the licensing and supervision of all financial services, with the exception of domestic banks,

1. *Requests* the administering Power to keep the Secretary-General informed of the wishes and aspirations of the people regarding their future political status, bearing in mind the views of the people of the Territory ascertained through a democratic process;

2. *Calls upon* the administering Power, the specialized agencies and other organizations of the United Nations system as well as regional and other organizations to continue to provide urgent emergency assistance to the Territory in alleviating the consequences of the volcanic eruption;

3. *Welcomes* the support of the Caribbean Community in the construction of housing in the safe zone to alleviate a shortage caused by the environmental and human crisis of the eruption of the Montsoufriere volcano, as well as the material and financial support from the international community to help alleviate the suffering caused by the crisis;

4. *Also welcomes* the Chief Minister's 2002 budget presentation, in which he noted that in 2001, for the first time in seven years, the economy of Montserrat experienced positive growth, from negative 5.43 per cent in 2000 to 0.4 per cent in 2001, with the implementation of several major public work projects accounting for growth in the construction sector;

5. *Takes note* of the statement of the Chief Minister that his Government would explore the possibilities of securing additional finance from sources other than the Government of the United Kingdom, and that the main sources under consideration were the Caribbean Development Bank and the European Investment Bank;

6. Welcomes the establishment of the Constitutional Review Commission to embark on a public education programme on the Constitution, to ascertain the views of the population and to make recommendations to the administering Power on

changes which may be envisaged, pursuant to the recommendations as stated in its White Paper on Partnership for Progress and Prosperity: Britain and the Overseas Territories;

VIII. Pitcairn

Taking into account the unique nature of Pitcairn in terms of population and area,

Welcoming the participation of an expert from Pitcairn for the first time in the Pacific regional seminar held at Nadi, Fiji, from 14 to 16 May 2002,

1. *Requests* the administering Power to keep the Secretary-General informed of the wishes and aspirations of the people regarding their future political status, bearing in mind the views of the people of the Territory ascertained through a democratic process;

2. *Also requests* the administering Power to continue its assistance for the improvement of the economic, social, educational and other conditions of the population of the Territory;

3. *Calls upon* the administering Power to continue its discussions with the representatives of Pitcairn Island on how best to support their economic security;

IX. St. Helena

Taking into account the unique character of St. Helena, its population and its natural resources,

Noting that a Commission of Inquiry into the Constitution appointed at the request of the Legislative Council of St. Helena reported its recommendations in March 1999, and that the Legislative Councillors are currently considering its recommendations,

Aware of the establishment by the territorial Government of the Development Agency in 1995 to encourage private sector commercial development on the island,

Also aware of the efforts of the administering Power and the territorial authorities to improve the socio-economic conditions of the population of St. Helena, in particular in the sphere of food production, continuing high unemployment and limited transport and communications, and calls for continuing negotiations to allow access to Ascension Island by civilian charter flights,

Noting with concern the problem of unemployment on the island and the joint action of the administering Power and the territorial Government to deal with it,

1. *Welcomes* the administering Power's commitment to consider carefully suggestions for specific proposals for constitutional change from territorial Governments as stated in its White Paper on Partnership for Progress and Prosperity: Britain and the Overseas Territories;

2. *Requests* the administering Power, bearing in mind the views of the people of the Territory ascertained through a democratic process, to keep the Secretary-General informed of the wishes and aspirations of the people regarding their future political status;

3. *Requests* the administering Power and relevant regional and international organizations to continue to support the efforts of the territorial Government to address the socio-economic development challenges, including the high unemployment and the limited transport and communications problems;

X. Turks and Caicos Islands

Noting that the People's Democratic Movement was elected to power in the Legislative Council elections held in March 1999,

Also noting the efforts by the Government of the Territory to strengthen financial management in the public sector, including efforts to increase revenue,

Noting with concern the vulnerability of the Territory to drug trafficking and related activities, as well as its problems caused by illegal immigration,

Noting the need for continued cooperation between the administering Power and the territorial Government in countering drug trafficking and money-laundering,

Welcoming the assessment by the Caribbean Development Bank in its 2000 report that the economic performance of the Territory remained strong, with an increase in gross domestic product estimated at 8 per cent, reflecting strong growth in the tourism and construction sectors,

Welcoming the convening in the Territory in January 2002 of the 14th meeting of the Bureau of the Caribbean Community, a regional organization in which the Territory enjoys associate membership,

1. *Requests* the administering Power to keep the Secretary-General informed of the wishes and aspirations of the people regarding their future political status, bearing in mind the views of the people of the Territory ascertained through a democratic process;

2. *Invites* the administering Power to take fully into account the wishes and interests of the Government and the people of the Turks and Caicos Islands in the governance of the Territory;

3. *Welcomes* the establishment of the Constitutional Review Commission to embark on a public education programme on the Constitution, to ascertain the views of the population and to make recommendations to the administering Power on changes which may be envisaged, pursuant to the recommendations as stated in its White Paper on Partnership for Progress and Prosperity: Britain and the Overseas Territories;

4. *Calls upon* the administering Power and the relevant regional and international organizations to continue to provide assistance for the improvement of the economic, social, educational and other conditions of the population of the Territory;

5. *Also calls upon* the administering Power and the territorial Government to continue to cooperate to counter problems related to money-laundering, smuggling of funds and other related crimes, as well as drug trafficking;

6. *Welcomes* the first Country Cooperation Framework approved by the United Nations Development Programme for the period 1998-2002, which should, inter alia, assist in the development of a national integrated development plan that

will put into place procedures for determining the national development priorities over ten years, with the focus of attention on health, population, education, tourism and economic and social development;

XI. United States Virgin Islands

Taking note with interest of the statements made and the information provided by the representative of the Governor of the Territory to the Pacific regional seminar, held at Nadi, Fiji, from 14 to 16 May 2002,

Noting also the continuing interest of the territorial Government in seeking associate membership in the Organization of Eastern Caribbean States and observer status in the Caribbean Community and the current request by the Territory to the administering Power for the delegation of authority to proceed,

Noting the necessity of further diversifying the economy of the Territory,

Noting the efforts of the Government of the Territory to promote the Territory as an offshore financial services centre,

Recalling the dispatch in 1977 of a United Nations visiting mission to the Territory,

Noting that the Territory commemorated its annual British Virgin Islands-United States Virgin Islands Friendship Day on 11 May 2002 in official ceremonies on St. Thomas,

1. *Requests* the administering Power to keep the Secretary-General informed of the wishes and aspirations of the people regarding their future political status, bearing in mind the views of the people of the Territory ascertained through a democratic process;

2. *Also requests* the administering Power to continue to assist the territorial Government in achieving its political, economic and social goals;

3. *Further requests* the administering Power to facilitate the participation of the Territory, as appropriate, in various organizations, in particular the Organization of Eastern Caribbean States, the Caribbean Community and the Association of Caribbean States;

4. *Notes with satisfaction* that continued measures being taken by the elected territorial Government have eased the fiscal crisis, and calls upon the administering Power to continue to provide every assistance required by the Territory to further alleviate the difficult economic situation, including, inter alia, the provision of debt relief and loans;

5. *Notes with interest* the entering into force in 2001 of the joint memorandum of cooperation on the exchange of artefacts between the Territory and Denmark, the Territory's former administering Power, as a companion agreement to the 1999 memorandum for the repatriation of archival material from the Danish colonial period, consistent with the Durban Declaration and Programme of Action, and requests the United Nations Educational, Scientific and Cultural Organization, under its records and archives management programme, to assist the Territory in carrying out its archival and artefacts initiative;

6. *Takes note* of the position of the territorial Government opposing the assumption by the administering Power of submerged land in territorial water, having regard to relevant resolutions of the General Assembly on the ownership and control of natural resources, including marine resources, by the people of the Non-Self-Governing Territories, and its calls for the return of those marine resources to the people of the Territory;

7. *Notes with concern* that the last census figures for the Territory indicate that 32.5 per cent of the population is living in poverty, with 47 per cent of children in St. Croix and 33 per cent of children on St. Thomas living in poverty.